

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN**

OWEN W. BARNABY,)
Plaintiff)

Vs.) Hon. Robert J. Jonker
) Hon. Mag. Sally J. Berens

MICHIGAN STATE GOVERNMENT, ET, AL)
Defendants) Case No. 1:22 -CV- 1146

Owen W. Barnaby
P.O. Box 1926
Kennesaw, GA 30156
(678) 382- 4183
Bossproperties96@gmail.com

Attorney T. Hackworth
Berrien County Government
701 Main Street, St. Joseph, Michigan 49085
T. (269) 983-7111, ex 8416 | thackworth@berriencounty.org

Attorney, T. Seth Koches,
Niles-Charter-Township/Board of Trustee
470 W. Centre Ave., Ste. A, Portage, MI. 49024
T. 269-382-4500 Koches@michigantownshiplaw.com

Jeffery R. Holmstrom (P29405)
Holmstrom Law Office PLC
830 Pleasant Street Suite 100
St. Joseph, MI 49085
T. (269)-983-0755 | jeff@holmstromlawoffice.com

Attorney Emily P Jenks
6th Floor at Ford Field
1901 St. Antoine St. Detroit, MI 48226
T: 313-393-7582 | EJenks@bodmanlaw.com

Berrien County Courthouse,
811 Port St, St Joseph, MI 49085

Pendrick Kimberly Attorney General of Michigan
525 W. Ottawa, 5th Floor
P.O. Box 30736, Lansing, MI 48909
T. 517-335- 7659 | PendrickK@michigan.gov

EXPEDITED CONSIDERATION REQUESTED

Amended NOTICE OF APPEAL

Notice is hereby given that , I (Owen W. Barnaby, In Pro Se), Plaintiff, hereby appeal to the United States District Court Judge, the Hon. Robert J. Jonker, from the Hon. Magistrate Judge Sally J. Berens' Order (ECF No. 91), In Part, Denying Plaintiff's Motions for Default Judgment (ECF Nos. 28, 31, 81, 88) and Application for Entry of Default Judgment (ECF Nos. 32, 75, 77), and the Granting of Defendant's Motion (ECF No. 85), and violation of the Federal Sixth Circuit Appellate Court's Order and Judgment (ECF Nos.72, 73), that are bidding on the District Court, entered in this action on the 27 day of December 2023. As the Order (ECF No. 91) is erroneous and contrary to law and the Federal Sixth Circuit Appellate Court's Order and Judgment (ECF Nos.72, 73), judicial bias, and abuse of discretion.

Lastly, after Briefings, should the United States District Court Judge, the Hon. Robert J. Jonker affirmed the Magistrate Judge's Order, to fast track the same for an Interlocutory Appeal to Federal Sixth Circuit Appellate Court.

Respectfully Submitted,

Dated: December 27, 2023,

\S/ Owen W. Barnaby
Owen W. Barnaby, In Pro Se.

CERTIFICATE OF SERVICE

The undersigned states that on the 27th day of December 2023, a duplicate original of Plaintiff's, "EXPEDITED CONSIDERATION REQUESTED, Amended NOTICE OF APPEAL", was filed with the Clerk of the Court, using the ECF System, which will provide electric notice to the parties of record, and I have email or mailed by U.S. Postal Service the same to non-ECP participants Defendants.

Respectfully Submitted,

Dated: December 27, 2023,

\S/ Owen W. Barnaby
Owen W. Barnaby, In Pro Se.